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*Admitted only in Maryland

*Admitted only in Virginia

Practice Limited to
Federal Agencies

September 30, 2004

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Art Unit 1614

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/648,786; Filed: August 27, 2003

For: **DEATH DOMAIN CONTAINING RECEPTOR- 4**

Inventors:

Ni et al.

Our Ref:

1488.130000B/EKS/EJH/M-K

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Second Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97(b);
- 2. A listing of the cited documents on form PTO-1449;
- 3. Copies of the cited documents (AT7, AR8, AS8, AT8, AR9); and
- 4. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents September 30, 2004 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

36,688

Elizabeth J. Haanes, Ph.D.

Attorney for Applicants

Registration No. 42,613

EJH/jk Enclosures

316369



In reapplication of:

Ni et al.

Appl. No.: 10/648,786

Filed: August 27, 2003

For: Death Domain Containing

Receptor 4

Confirmation No.: 5264

Art Unit: 1614

Examiner: To be assigned

Atty. Docket: 1488.130000B/EKS/EJH/M-K

Second Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97(b)

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Supplemental Information Disclosure Statement filed on April 12, 2004 in connection with the above-captioned application. Copies of the documents are submitted herewith.

Applicants are aware that the first filing date related to the above case is 1997, which would imply that all documents published in 1996 and later should have the month listed as well. However, Applicants would like to bring to the Examiner's attention documents AT7, Chantry, D., and AS8, Marsters, S.A., for which the month of publication could not be determined.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates

should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Elizabeth J. Haanes

Attorney for Applicants Registration No. 42,613

Date:

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FORM PTO-149

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

U.S. PAT

ATTY. DOCKET NO. 1488.130000B/EKS/EJH/M-K FIRST NAMED INVENTOR

APPLICATION NO. 10/648,786

Page 1 of 3

Ni et al.

FILING DATE August 27, 2003 ART UNIT

INFOR	WATION	DISCLOSURE STATEME	-	August 27, 2003	1614		
			U.S. PATE	NT DOCUMENTS			
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	
	AL						Yes No
	АМ						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No
		OTHER (Includ	ling Author,	Title, Date, Pertinent Pages	, etc.)		
	AR						
	AS						
	АТ	7 Chantry, D., "Tume (1999)	our necrosis fa	actor antagonists," Emerging Dru	gs 4:5-13,	Ashley Public	cations Ltd
EXAMINER				[1	DATE CO	NSIDERED	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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FORM	PTO-	1449

ATTY. DOCKET NO. 1488.130000B/EKS/EJH/M-K FIRST NAMED INVENTOR

APPLICATION NO. 10/648,786

Page 2 of 3

Ni et al.

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

FILING DATE **ART UNIT** August 27, 2003 1614

U.S. PATENT DOCUMENTS								
EXAMINER INITIAL		DC	CUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA							
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	AM							Yes No
	AN							Yes No
	AO				,			Yes No
	AP		***					Yes No
		l	OTHER (Includ	ling Author,	Title, Date, Pertinent Pages	etc.)		110
	AR	<u>8</u>	Kim, K., et. al., "Molecular determinants of response to TRAIL combined with chemotherapy in killing of					
	AS	8	Marsters, S.A., et. al., "Control of Apoptosis Signaling by Apo2 Ligand," Recent Progress in Hormone Research 54:225-234, The Endocrine Society (1999)					
	AT 8 International Search Report for International Application No. PCT/US 98/01464, European Patent Office, Netherlands, mailed on June 17, 1998						an Patent	
EXAMINER					[1	DATE CO	NSIDERED	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM	PTO	1440

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

	Page 3 of 3
ATTY. DOCKET NO.	APPLICATION NO.
1488.130000B/EKS/EJH/M-K	10/648,786
FIRST NAMED INVENTOR	
Ni et al.	
FILING DATE	ART UNIT
August 27, 2003	1614

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EXAMINER INITIAL			DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE	
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	АВ								
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	AL							Yes No	
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	AN			T				Yes No	
	AO							Yes No	
	AP							Yes No	
		_	OTHER (Includ	ling Autho	or, Title, Date, Pertin	ent Pages, etc.)			
	AR	9	Supplementary Pa European Patent (Supplementary Partial European Search Report for European Application No. EP 00 93 2061, European Patent Office, Netherlands, completed on August 23, 2004					
	AS								
	AT								
EXAMINER		<u> </u>				DATE CO	NSIDERED		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.